



**ENVIRONMENTAL PROTECTION AGENCY**

6560-50

**[EPA-HQ-OPPT-2011-0778; FRL-9523-1]**

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; TSCA Section 5(a)(2) Significant New Use Rules for Existing Chemicals**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. The ICR, which is abstracted below, describes the nature of the information collection activity and its expected burden and costs.

**DATES:** Additional comments may be submitted on or before [insert date 30 days after publication in the Federal Register].

**ADDRESSES:** Submit your comments, referencing docket ID Number EPA-HQ-OPPT-2011-0778 to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by email to [oppt.ncic@epa.gov](mailto:oppt.ncic@epa.gov) or by mail to: Pollution Prevention and Toxics Docket, Environmental Protection Agency Docket Center (EPA/DC), Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Pamela Myrick, Deputy Director, Environmental Assistance Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, Mail code: 7408-M, 1200 Pennsylvania Ave., N.W., Washington, DC 20460;

telephone number: 202-554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On April 9, 2012 (77 FR 21096), EPA sought comments on this renewal pursuant to 5 CFR 1320.8(d). EPA received no comments during the comment period. Any comments related to this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA EPA-HQ-OPPT-2011-0778, which is available for online viewing at <http://www.regulations.gov>, or in person inspection at the OPPT Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Pollution Prevention and Toxics Docket is 202-566-0280. Use [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the docket ID number identified above.

EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in [www.regulations.gov](http://www.regulations.gov) as EPA receives them and without change, unless the comment contains copyrighted material, confidential business information (CBI), or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in [www.regulations.gov](http://www.regulations.gov). The entire printed comment,

including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in [www.regulations.gov](http://www.regulations.gov). For further information about the electronic docket, go to [www.regulations.gov](http://www.regulations.gov).

**Title:** TSCA Section 5(a)(2) Significant New Use Rules for Existing Chemicals.

**ICR Status:** This is a request to renew an existing approved collection. This ICR is scheduled to expire on November 30, 2012. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB.

**Abstract:** Section 5 of the Toxic Substances Control Act (TSCA) provides EPA with a regulatory mechanism to monitor and, if necessary, control significant new uses of chemical substances. Section 5 authorizes EPA to determine by rule (i.e., a significant new use rule or SNUR), after considering all relevant factors, that a use of a chemical substance represents a significant new use. If EPA determines that a use of a chemical substance is a significant new use, section 5 requires persons to submit a significant new use notice (SNUN) to EPA at least 90 days before they manufacture, import, or process the substance for that use.

EPA uses the information obtained through this collection to evaluate the health and environmental effects of the significant new use. EPA may take regulatory actions under TSCA section 5, 6 or 7 to control the activities for which it has received a SNUR notice. These actions include orders to limit or prohibit the manufacture, importation, processing, distribution in commerce, use or disposal of chemical substances. If EPA does not take action, section 5 also requires EPA to publish a Federal Register notice explaining the reasons for not taking action.

This information collection addresses the reporting and recordkeeping requirements inherent in TSCA section 5 significant new use rules.

Responses to the collection of information are mandatory (see 40 CFR part 721). Respondents may claim all or part of a notice as CBI. EPA will disclose information that is covered by a CBI claim only to the extent permitted by, and in accordance with, the procedures in 40 CFR part 2.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the Federal Register, are listed in 40 CFR part 9 and included on the related collection instrument or form, if applicable.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average about 8.1 hours per response. Burden is defined in 5 CFR 1320.3(b).

*Respondents/Affected Entities:* Entities potentially affected by this ICR are companies that manufacture, process, import, or distribute in commerce chemical substances or mixtures.

*Frequency of Collection:* On occasion.

*Estimated No. of Respondents:* 53.

*Estimated Total Annual Burden on Respondents:* 736 hours.

*Estimated Total Annual Costs:* \$63,799.

*Changes in Burden Estimates:* There is a decrease of 440 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This change reflects updates to the number of affected sites and responses and the correction of

estimates in the previous ICR. More details on the changes are outlined in the Supporting Statement. The change is an adjustment.

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John Moses, Director, Collection Strategies Division

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